

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

On January 4, 2008, the instant action was opened when plaintiff, a California prisoner incarcerated at Coalinga State Hospital and proceeding pro se, filed a document titled “Case No. 07-1261-FMC (JTL) Appeal.” The caption of the document identifies the “State of California Court of Appeal” as the presiding court. The text of the document reveals that plaintiff is attempting to appeal the dismissal of a civil rights action he filed in the United States District Court for the Central District of California, Cranford v. Riordan, No. C 07-1261-FMC-JTL. According to the court docket in that matter, judgment was entered on August 14, 2007, dismissing the action without prejudice. (See id. Docket No. 12.) On the proof of service attached to the document filed in this court, plaintiff writes he is sending the document to the “United States District Court Court of Appeal.”

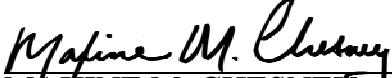
Accordingly, as the instant action was opened in error when plaintiff mistakenly sent to this court a document he apparently intended to file in the Ninth Circuit Court of Appeals, the Clerk of the Court is hereby DIRECTED to administratively close the case. If plaintiff

1 still seeks to appeal the dismissal of the action he filed in the Central District, he must follow
2 the procedures set forth in the Federal Rules of Appellate Procedure for appealing from a
3 judgment or order of a district court.

4 Because the instant action was opened in error, no filing fee is due.

5 **IT IS SO ORDERED.**

6 DATED: January 16, 2008

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8 MAXINE M. CHESNEY
9 United States District Judge

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